

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

COLLEEN MAHAN, Individually, \$  
and in behalf of, and as \$  
Representative of the Estate of \$  
Lanny Blaine Robinson, \$

Plaintiff, \$

v. \$

CITY OF HOUSTON, TEXAS, \$  
MARK PENDERGAST, and \$  
JIMMY D. CARGILL, \$

Defendants. \$

United States  
Southern District  
of Texas

JUN 07 2004

Michael H. Kirby, Clerk U.S.

CIVIL ACTION NO. H-02-1435

**FINAL JUDGMENT**

On this day in open Court came Plaintiff Colleen Mahan, Individually, and in behalf of, and as Representative of the Estate of Lanny Blaine Robinson, and Defendants The City of Houston, Texas and Mark Pendergast, by and through their respective attorneys of record, and announced that they had successfully compromised and settled this case. Accordingly, based upon the announced terms of settlement, pursuant to which the City of Houston, after formal approval by its City Council, will make payment of the agreed settlement sum to Plaintiff, and based upon the previous Memorandum and Order entered January 28, 2004 (Document No. 85), dismissing Plaintiff's claims against Defendant Jimmy D. Cargill and the City of Houston, it is

ORDERED that this case is DISMISSED with prejudice.


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In the event that Defendant The City of Houston shall not have performed its obligations under the terms of settlement, including its cash payment obligations, within ninety (90) days after the date of entry of this Order, Plaintiff may move to reinstate the case against Defendant Pendergast upon the docket of the Court. For the foregoing purpose only, the Court retains jurisdiction of the case providing, however, that any such motion, if required, must be filed no later than September 3, 2004.

This is a **FINAL JUDGMENT**.

The Clerk shall notify all parties and provide them with a signed copy of this Order.

SIGNED at Houston, Texas, on this 4<sup>TH</sup> day of June, 2004.

  
EWING WERLEIN, JR.  
UNITED STATES DISTRICT JUDGE